

### **Part 3**

## **Exchanges and Grants**

#### **53C-4-301 Exchange of trust lands -- Based on equal value -- Lands encumbered by a lease.**

- (1)
  - (a) In accordance with rules of the director, trust lands or other trust assets may be exchanged for other land or other assets.
  - (b) The director shall deliver the necessary patents to other proprietors and receive proper deeds for the lands exchanged.
  - (c) The director shall issue, deliver, and accept conveyance documents in land exchanges in accordance with accepted real estate closing practices.
- (2)
  - (a) If trust lands are encumbered by an existing lease, the director may, upon approval of an exchange, and with the consent of the lessee, terminate the existing lease and issue a lease of the same type on lands which may be acquired in the same exchange in which the leased lands are used as base.
  - (b) The state shall honor all vested rights upon acceptance of exchanged lands.

Amended by Chapter 247, 2011 General Session

#### **53C-4-302 Public land grants -- Board and director to request a survey.**

The board and director shall take all necessary steps to encourage the federal Bureau of Land Management to complete the survey of public unsurveyed lands for the purpose of satisfying the public land grants to this state in accordance with federal law.

Enacted by Chapter 294, 1994 General Session

#### **53C-4-303 Public land grants -- Procedures for selection of additional lands.**

- (1) All selections of land shall be made in legal subdivisions according to the United States survey.
- (2) When a selection has been made and approved by the director, the director shall take action necessary to secure the approval of the proper officers of the United States and the final transfer of the lands selected to this state.
- (3) The director may cancel, relinquish, or release the claims of the state to, and may reconvey to the United States, any particular tract of land erroneously listed to the state, or any tract upon which, at the time of selection, a bona fide claim has been initiated by an actual settler.

Enacted by Chapter 294, 1994 General Session

#### **53C-4-304 Public land grants -- Transcription of selected lands to be sent to county recorders.**

- (1) The director shall receive clear lists to lands in this state from the Department of the Interior.
- (2) Within 90 days of receipt, the director shall transmit to the county recorders a certified transcript of all lands within their respective counties selected and approved for this state under federal law.
- (3) The county recorder shall immediately, upon receipt of the certified transcripts, enter them in the records of the recorder's office.

- (4) Any certified transcript required by this section, when recorded, shall be accepted in lieu of the original approved lists, and shall be sufficient evidence of the conveyance of the lands described in it by the United States to the state.

Enacted by Chapter 294, 1994 General Session